

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RCE #  
PATENT APPLICATION  
166

In re: PATENT APPLICATION of:

Inventor(s): Brams, Peter

Appln. No.: 09 805,217

Series Code ↑ Serial No. ↑

Filed: March 14, 2001

Title: ANTIBODIES THAT BIND PHOSPHATIDYL  
SERINE AND A METHOD OF THEIR USE

Group Art Unit 1642

Examiner: Helms, Larry Ronald

Atty. Dkt. P 037003 0279190

M# Client Ref

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RCE  
EDO NOT USE FOR PROVISIONAL,  
DIVISIONAL, CIP OR DESIGN  
APPLICATIONS, OR REEXAMINATION OF  
PATENTSHon. Commissioner of Patents  
Washington, D.C. 20231

Date: April 7, 2003

Sir:

**REQUEST FOR CONTINUED EXAMINATION (RCE) UNDER RULE 114**

Please continue the examination of this application.

**PREREQUISITES**This application was filed on/after June 8, 1995, is not abandoned, and no court action has been filed, or if filed, it has been terminated.An issue fee **has not been** paid (unless a petition under Rule 313(c)(2) is also being filed -- see item 4 below).**Prosecution has been closed as defined in Rule 114(b).****Reply to any outstanding action must be enclosed or previously filed.**

This application is entitled under Rule 114 to withdrawal of any outstanding finality or of any allowance plus a new action by the Examiner. Consideration on the merits of each submission (e.g., IDS, Amendment, new arguments, new evidence, but not appeal/reply briefs themselves) filed herewith is respectfully requested.

**Please consider the following before the next Official Action:**

1. Please ☒ enter ☐ do not enter the Amendment filed January 12, 2003 (copy enclosed)
2. ☐ The enclosed new Amendment
3. ☐ Consider the arguments in the appeal brief filed \_\_\_ and reply brief filed
4. ☐ The issue fee has been paid, but this RCE is based on Rule 313(c)(2). See enclosed petition.
5. ☐ The enclosed Information Disclosure Statement  
☐ IDS Letter ☐ Cited Appln ☐ Foreign Search Report/OA  
☐ PTO-1449 ☐ Cited Documents
6. ☐ Please suspend action under Rule 103(c) for a period of \_\_\_ months (3 mos. Max) for which charge the required \$130 fee (fee code 098) to our Deposit Account (see below).
7. Petition is hereby made to extend the original due date of March 12, 2003 to (1 mo) \$110/\$55  
cover the date this Request is filed. PLEASE CHARGE the requisite fee to our (2 mos) \$410/\$205 + 110  
Deposit Account (see below) (3 mos) \$930/\$465
8. PLEASE CHARGE the Rule 17(e) (RCE) filing fee of ☒ \$750 (lg. ent.) ☐ \$375 (sm. ent.) plus any deficiency and any other fee due now or later to our Deposit Account No. 03-3975 under Order No. 037003 / 0279190

**NOTE: Rule 17(e) filing fee Cannot be deferred!**  
**NO CLAIMS FEE REQUIRED** unless you are adding claims by box 2 Amendment in which case cover this with PAT-120.

04/09/2003 CV0111 00000055 033975 09805217

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Tel: (703) 905-2144**NOTE: File this Request (plus enclosures, if any) in duplicate and with PTO receipt (PAT-103A)**



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION OF

Peter Brams

Group Art Unit: 1642

Application No. 09/805,217

Examiner: L. Helms

Filed: March 14, 2001

Title: ANTIBODIES THAT BIND PHOSPHATIDYL SERINE AND A METHOD OF THEIR USE

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REPLY PURSUANT TO 37 CFR § 1.116

Hon. Commissioner of Patents  
Washington, D.C. 20231

Sir:

In response to the Final Office Action mailed on September 12, 2002, kindly amend the claims of the above-identified application as follows.

IN THE CLAIMS

Claims 29 and 35-38 are amended as shown below:

29. (Amended) An isolated unconjugated monoclonal antibody that specifically binds phosphatidyl serine and that induces complement dependent cell-mediated cytotoxicity against a human tumor cell that expresses phosphatidyl serine;

wherein the light chain V region of said antibody is also present in the light chain of an antibody that recognizes e-aminocaproic acid, and

wherein the heavy chain V region of said antibody is also present in the heavy chain of an antibody that recognizes p-azaphenylarsanate.

35. (Amended) The pharmaceutical composition of claim 34 wherein the monoclonal antibody is a primate antibody.